REMARKS

In the Office Action dated March 13, 2002, claims 12, 13, and 24 were rejected under 35 U.S.C. § 112, ¶ 2; claims 1-5 and 7-13 were rejected under § 102 over U.S. Patent No. 6,044,396 (Adams); claims 14-30 were rejected under §102 over U.S. Patent No. 6,078,919; and claim 6 was rejected under §103 over Adams.

REJECTIONS UNDER 35 U.S.C. § 112, ¶ 2

Claims 12 and 13 have been amended to overcome the rejections. Claim 24 has been cancelled.

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

With the amendment, claim 1 is allowable over Adams. Adams does not teach or suggest a transmitter module to contain configuration information specifying at least one predefined transmission characteristic, and a data management module to access the configuration information and to modify data flow management based on the at least one characteristic of the transmitter module. The Office Action equated the modulator 210 of Adams with the recited "transmitter module." There is no indication anywhere in Adams that the modulator 210 contains information specifying at least one predefined transmission characteristic that is accessed by a data management module to modify data flow management.

Therefore, claim 1 is allowable over Adams.

Claim 14 has been amended to overcome Ginzburg, which does not teach a transmitter to contain configuration information specifying a characteristic of the transmitter, and a data management program to access the configuration information and to modify management of data flow based on the configuration information.

Independent claims 21 and 27 have also been amended, and are now also in condition for allowance.

Allowance of all claims is requested. The Commissioner is authorized to charge any additional fees, including extension of time fees, and/or credit any overpayment to

Deposit Account No. 20-1504 (ITL.0084US).

Respectfully submitted,

5-28-02

Date

Dan C. Hu, Reg. No. 40,025
Trop, Pruner & Hu, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880
713/468-8883 [fax]

VERSION WITH MARKINGS TO INDICATE CHANGES

Claims 18 and 24 are cancelled. New claims 31-34 have been added. Amend the following claims where indicated (un-amended claims in smaller font)

1. (Amended) A transmission system, comprising:

a data management module capable of managing data flow; and

a transmitter module coupled to a transport medium and to the data management module, the transmitter module [having] to contain configuration information specifying at least one predefined transmission characteristic, [wherein]

the data management module to access the configuration information to determine the at least one predefined transmission characteristic and to modify [modifies its] data flow management based on the at least one characteristic of the transmitter module.

2. The transmission system of claim 1, further comprising at least an additional transmitter module.

3. (Amended) The transmission system of claim 2, wherein each transmitter module is associated with a different transport medium.

4. The transmission system of claim 1, wherein the transmission characteristic of the transmitter module varies over time.

5. The transmission system of claim 1, further comprising an interface between the data management module and the transmitter module.

6. The transmission system of claim 5, wherein the interface includes an API interface.

7. The transmission system of claim 1, wherein the transmission characteristic includes a data flow rate of the transmitter module.

8. The transmission system of claim 7, wherein the data flow rate is adjusted to compensate for delays in the transmitter module.

9. (Amended) The transmission system of claim 1, [wherein] the data management module to continue[s] to receive the transmitter's transmission characteristic and to adjust the data flow management if the transmission characteristic changes.

10. (Amended) The transmission system of claim 1, [wherein] the data management module to combine[s] digital data with television data to transmit over the transport medium.

11. The transmission system of claim 1, wherein the transport medium includes a medium selected from the group consisting of an airwave transmission, a cable transmission, a satellite transmission, a digital television transmission, and a computer network.

12. (Amended) The transmission system of claim 1, wherein the configuration information [transmitter's transmission characteristic] is retrieved by the data management module at startup of the transmitter module or data management module.

13. (Amended) The transmission system of claim 12, [wherein] the data management module and transmitter module to continue to exchange configuration information [data including the transmitter's transmission characteristic] after startup.

14. (Amended) A transmission system comprising:

a data management program capable of assembling data;

a transmitter capable of receiving data from the data management program and transmitting the data to a transport medium; and

a communication interface between the data management program and the transmitter that enables the data management program and transmitter to negotiate the type of communication to be performed [based on the type of transport medium used],

the transmitter to contain configuration information specifying a characteristic of the transmitter,

the data management program to access the configuration information of the transmitter and to modify management of data flow based on the configuration information.

15. The transmission system of claim 14, wherein the assembled data includes digital data and television data.

16. The transmission system of claim 14, further comprising at least another transmitter coupled to at least another transport medium.

17. The transmission system of claim 16, wherein the transport media have different transmission characteristics.

19. (Amended) The transmission system of claim [18] 16, [wherein] the data management program and transmitters to exchange information on a [continued] continuous basis.

20. (Amended) The transmission system of claim [16] 17, wherein the transport media have different data flow rates.

21. (Amended) A computer-readable medium storing a program executable by a computer in a transmission system including a transmitter coupled to a transport medium, the program comprising instructions for causing the computer to:

retrieve stored information to identify at least one transmission characteristic of the [transport medium over which data is to be transmitted by a] transmitter [module]; and

modify data flow management based on the identified at least one transmission characteristic.

22. The computer-readable medium of claim 21, the program further comprising instructions causing the computer to identify a transmission characteristic of at least another transport medium over which data is to be transmitted by at least another transmitter.

23. The computer-readable medium of claim 22, wherein the transport media have different transmission characteristics.

25. (Amended) The computer-readable medium of claim [24] 21, wherein the transmission system further includes a data management module, the program further comprising instructions causing the computer to cause [wherein] the data management module and transmitter to exchange information relating to the transport medium's at least one transmission characteristic.

26. (Amended) The computer-readable medium of claim 25, wherein the data management module and transmitter exchange information on a [continued] continuous basis.

27. (Amended) A method of managing data flow over a transport medium in an interactive transmission system, comprising:

accessing stored configuration information;

identifying, based on the accessed configuration information, at least one transmission characteristic of a transmitter used to transmit data over the transport medium; and

modifying data flow management based on the identified at least one transmission characteristic.

28. The method of claim 27, further comprising identifying a transmission characteristic of at least another transmitter used to transmit data over a different transport medium.

29. The method of claim 27, wherein the transmitters associated with the different transport media have different transmission characteristics.

30. (Amended) The method of claim 27, wherein the at least one transmission characteristic of the transmitter is identified on a [continued] continuous basis.

31. (New) The transmission system of claim 1, the configuration information to specify one or more of the following:

maximum transfer rate, maximum size of each data packet, and usage of compression.

32. (New) The transmission system of claim 1, wherein the configuration information comprises at least one of information to indicate if the transmitter module is able to assign priorities to data, and information to indicate if the transmitter module is able to perform bandwidth management.

33. (New) The transmission system of claim 14, the configuration information to specify one or more of the following:

maximum transfer rate, maximum size of each data packet, and usage of compression.

34. (New) The transmission system of claim 14, wherein the configuration information comprises at least one of information to indicate if the transmitter module is able to assign priorities to data, and information to indicate if the transmitter module is able to perform bandwidth management.

35. (New) The computer-readable medium of claim 21, wherein the information specifies one or more of the following:

maximum transfer rate, maximum size of each data packet, and usage of compression.

36. (New) The computer-readable medium of claim 21, wherein the information comprises at least one of information to indicate if the transmitter module is able to assign priorities to data, and information to indicate if the transmitter module is able to perform bandwidth management.

37. (New) The method of claim 27, the configuration information to specify one or more of the following:

maximum transfer rate, maximum size of each data packet, and usage of compression.

38. (New) The method of claim 27, wherein the configuration information comprises at least one of information to indicate if the transmitter module is able to assign priorities to data, and information to indicate if the transmitter module is able to perform bandwidth management.